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The Honorable Sarah Netburn
United States Magistrate Judge
Thurgood Marshall Courthouse
40 Foley Square, Room 430
New York, NY 10007

BY ECF

Re: *In re Terrorist Attacks on September 11, 2001*, No. 1:03-md-01570 (S.D.N.Y.)

Dear Judge Netburn:

Dallah Avco respectfully opposes plaintiffs' August 26, 2021 letter motion seeking an extension of the deadline for submitting their expert reports. Dkt. 7074. As the Kingdom of Saudi Arabia explains, it is entirely speculative how long the FBI may take to make its additional productions. Based on the past history, that process could take many months, if not years. Plaintiffs will undoubtedly continue to make additional requests for extensions as that process unfolds. The parties will be back in front of the Court disputing these same issues in two months, four months, six months, and so on. It is also entirely speculative whether the FBI's productions will reveal anything material to plaintiffs' claims against Dallah Avco at all – claims that center around its performance of a manpower procurement and payroll processing contract in Saudi Arabia. Plaintiffs' requests would substantially delay resolution of the case for no adequate reason.

Those delays would be particularly unfair for Dallah Avco. Jurisdictional discovery against Dallah Avco began in 2013, long before discovery against the Kingdom. Dallah Avco substantially completed document production by May 2017 and finished presenting its witnesses for depositions in January 2019. But for the fact that discovery against Dallah Avco could not conclude until plaintiffs finished taking discovery against the Kingdom, Dallah Avco would have filed its renewed dispositive motion years ago.

Dallah Avco therefore agrees with the Kingdom that plaintiffs should serve their expert reports by September 15, 2021. Dallah Avco can be prepared to serve any expert report by November 1, 2021. Expert discovery should close by December 1, 2021, and any *Daubert* motions should be briefed in parallel with dispositive motions.

Respectfully submitted,

Robert Kry

cc: All counsel by ECF